

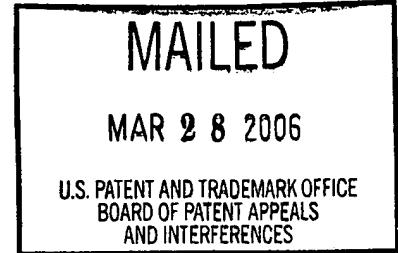
The opinion in support of the decision being entered today was not written for publication and is not binding precedent of the Board.

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte JEFFREY D. VANCE,
CLIFTON F. RICHARDSON, and
YOUNG-HWA KIM

Application No. 10/075,180



ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was electronically received at the Board of Patent Appeals and Interferences on March 17, 2006. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matters requiring attention prior to docketing are identified below.

On June 29, 2005, the examiner filed a response to the Reply Brief dated April 13, 2005. The response is being treated as a supplemental Examiner's Answer, which is permitted by 37 CFR § 41.43. However, the examiner must follow the guidelines set forth in training material entitled "Rules of Practice Before the Board of Patent Appeals and Interferences, Final Rule," located at the following URL:

www.uspto.gov/web/offices/dcom/bpai/fr2004/moreinfo.html

The requirement for a supplemental Examiner's Answer is approval by a Technology Center Director or designee.

To correct this problem, the examiner will need to vacate the Supplemental Examiner's Answer dated April 13, 2005, and file a new supplemental Examiner's Answer with the Technology Center Director's approval.

Accordingly, it is

ORDERED that the application is returned to the examiner to:

- (1) vacate the supplemental Examiner's Answer dated April 13, 2005;
- (2) file a new supplemental Examiner's Answer with the Technology Center Director's approval;
- (3) have a complete copy of the revised supplemental Examiner's Answer scanned into the record; and
- (4) for such further action as may be appropriate.

BOARD OF PATENT APPEALS
AND INTERFERENCES



Dale M. Shaw
Program and Resource Administrator
(571) 272-9797

Westman, Champlin & Kelly, P.A.
Suite 1400 - International Centre
900 Second Avenue South
Minneapolis, MN 55402-3319

dem